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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

KARL STORZ ENDOSCOPY-)
AMERICA, INC.,) Case No. CV 14-00876 RS
)
Plaintiff,)
)
v.)
)
STRYKER CORPORATION and)
STRYKER COMMUNICATIONS, INC.,)
)
Defendants.)
)
)
)
**STIPULATION AND [PROPOSED]
ORDER TO ALTER THE DEADLINE TO
FILE A MOTION TO RETAIN
CONFIDENTIALITY DESIGNATIONS
UNDER THE PROTECTIVE ORDER**

1 Pursuant to Civil Local Rule 6-1(b) and 7-12, Plaintiff Karl Storz Endoscopy-America, Inc.
 2 ("KSEA") and Defendants Stryker Corporation and Stryker Communications, Inc. (collectively,
 3 "Stryker"), by and through their undersigned counsel, hereby stipulate to and jointly request the Court
 4 to continue the deadline under the Protective Order (Dkt. 115) to file a motion to retain
 5 confidentiality designations to March 25, 2016, in connection with KSEA's February 3, 2016
 6 challenges to certain of Stryker's confidentiality designations. The accompanying declaration of
 7 Michael J. Carrozza sets forth all requirements of Civil Local Rule 6-2, including identifying all
 8 previous time modifications in the case. For the Court's convenience, the Parties will not repeat all
 9 information contained in Mr. Carrozza's declaration, but the Parties do note as follows:

10 1. On February 3, 2016, KSEA provided Stryker with written notice that it was
 11 challenging the confidentiality designations of certain documents that Stryker produced as being
 12 subject to the patent prosecution bar in the Protective Order (Dkt. 115). Under Paragraph 6.3 of the
 13 Protective Order, "[i]f the Parties cannot resolve a challenge without court intervention, the
 14 Designating Party shall file and serve a motion to retain confidentiality under Civil Local Rule 7 (and
 15 in compliance with Civil Local Rule 79-5, if applicable) within 21 days of the initial notice of
 16 challenge or within 14 days of the parties agreeing that the meet and confer process will not resolve
 17 their dispute, whichever is earlier." (Dkt. 115 at 7-8.) The date to file such a motion to retain
 18 confidentiality in this instance would be February 24, 2016.

19 2. The Parties met and conferred via teleconference on February 17, 2016, and on
 20 February 18, agreed that further meet and confer efforts could resolve, or at least significantly
 21 narrow, the disputes to be presented to the Court. Thus, the parties agreed to request that the Court
 22 continue certain deadlines to allow further meet and confer efforts regarding the disputes underlying
 23 KSEA's challenges. The Parties agreed that, if an impasse were reached as of March 11, that any
 24 motion to retain confidentiality designations would be filed by March 25.

25 3. The stipulated deadline will not alter any other deadlines currently set by the Court.

4. Pursuant to Civil Local Rule 6-2(a), this stipulation is accompanied by the Declaration of Michael J. Carrozza setting forth (1) the reasons for the requested enlargement of time; (2) all previous time modifications in this case; and (3) the effect of the requested enlargement of time.

Respectfully submitted,

Dated: February 23, 2016

REED SMITH LLP

/s/ William R. Overend
William R. Overend

Attorneys for Defendants,
STRYKER CORPORATION and
STRYKER COMMUNICATIONS, INC.

Dated: February 23, 2016

BECK, BISMONTE & FINLEY, LLP

/s/ Alfredo A. Bismonte
Alfredo A. Bismonte

Attorneys for Plaintiff,
KARL STORZ ENDOSCOPY-AMERICA,
INC.

1 In compliance with Civil Local Rule 5-1(i), I hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories hereto.

1 **[PROPOSED] ORDER**
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3 PURSUANT TO STIPULATION, IT IS SO ORDERED:
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7 • The deadline to file any motion to retain confidentiality in response to Plaintiff's February
8 3, 2016 challenges is continued to March 25, 2016.
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Dated: 2/24, 2016



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Honorable Richard G. Seeborg,
United States District Judge